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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The President of the Security Council has the honour to transmit to the members of the Security Council the attached communication which he has received from the Deputy Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991).

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* Reissued for technical reasons.

Annex

Letter dated 16 December 1992 from the Deputy Executive Chairman of the Special Commission addressed to the President of the Security Council

I have the honour to refer to the letter dated 14 December 1992 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council and circulated to the Council in document S/24964. This letter addresses itself to a communication of 10 December 1992 which I submitted to you, at your request, and which was communicated informally to the members of the Council. In view of the circulation of the Iraqi response in document form, I would be most grateful if you could arrange for my letter of 10 December 1992 to be circulated to the Council in the same manner.

(Signed) Pierce S. CORDEN
Deputy Executive Chairman
Office of the Special Commission

Enclosure 1

Letter dated 10 December 1992 from the Deputy Executive Chairman of the Special Commission addressed to the President of the Security Council

I have the honour to refer to our conversation of yesterday afternoon regarding certain adverse developments in Baghdad affecting the work of the Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) in implementation of their mandates under section C of Security Council resolution 687 (1991) and other relevant Council resolutions and decisions. You requested during our conversation that I provide you with pertinent details in writing.

Aerial surveillance

On 2 December 1992, the Special Commission Field Office in Baghdad notified the appropriate Iraqi authorities of the zone in which the Commission intended to conduct an aerial surveillance mission the following day. These authorities indicated they could not accept the flight and would have to seek further instructions as, in their view, the area designated for the flight fell in part within the city limits of Baghdad. Upon receipt of this information in New York, the Commission prepared and handed over to the Deputy Permanent Representative of Iraq an aide-mémoire, calling upon Iraq to review its position, in the light of the Commission's rights to conduct surveillance flights anywhere in Iraq, and to communicate its acceptance of the flight to the Commission's Field Office as soon as possible. The Special Commission in New York was informed on 9 December that a negative decision has been taken and that such flights will not be permitted "one metre inside Baghdad". The Executive Chairman of the Special Commission is sending an official protest to the Minister for Foreign Affairs of Iraq regarding this matter.

Joint Special Commission/IAEA inspection on 6 December 1992

On 6 December 1992, a joint inspection team of the Special Commission and the IAEA, while seeking admission to a designated site, observed a number of individuals hurriedly leaving the site with documents. In response to protests by the Chief Inspector, the Iraqi authorities acknowledged that documents had been removed from the site, claiming this had been done by individuals acting on their own initiative. Subsequently, certain documents were produced for the inspectors which the Iraqi side claimed to be those which had been removed. There was no way for the inspectors to verify this claim. During the same inspection, the Iraqi counterpart refused to permit the removal or copying of blueprints of pharmaceutical plants found at the site, claiming the inspectors first had to prove that they directly related to Security Council resolution 687 (1991). In this instance, to resolve the immediate conflict, the Chief Inspector inventoried and tagged the blueprints for examination by an UNSCOM expert due to arrive in the course of the inspection. The Chairman of the Special Commission and the Director-General

of the IAEA are addressing protests to the Minister for Foreign Affairs of Iraq regarding the deprivation of the right of the Special Commission and the IAEA to secure and review documents without interference and alone to determine the relevance of documentary evidence to their mandate and when, in their opinion, to remove or copy documents.

Meeting with Lieutenant General Amer Rashid on 8 December 1992

On 8 December 1992, the Chief Inspector of the Special Commission inspection team currently in Iraq met General Amer of the Iraqi Military Industries Commission, at the Chief Inspector's request. Extracts from the Chief Inspector's account of this meeting are annexed hereto, as they would appear to reflect a serious deterioration in Iraq's willingness to fulfil its obligations and hence the ability of UNSCOM and the IAEA to carry out their mandates.

You may wish to bring the contents of this letter informally to the attention of the members of the Council.

Should further developments so warrant, they will be brought immediately to your attention. In any event, the Special Commission's six-monthly report on its activities will be submitted to the Council very shortly.

(Signed) Pierce S. CORDEN
Deputy Executive Chairman
Office of the Special Commission

Enclosure II

Extracts from a report of 9 December 1992 received from the Chief Inspector of UNSCOM 47

General Amer ... strongly criticized the Special Commission and in particular its November report to the Security Council. Amer said that it was clear that the situation is just a political game with predetermined objectives; the game is controlled by Iraq's enemies. There was no doubt that Chairman Ekéus' speech to the Security Council was influenced by the United States, the United Kingdom and France, and that those countries are using UNSCOM inspection teams to influence the situation in Iraq.

According to Amer, no matter what Iraq provided, the Special Commission would demand more. This was very clear by Ekéus' broken promises. The General cited, for example, UNSCOM 45 claims that the ballistic missiles programme was totally finished and that the Special Commission was completely satisfied; however, no mention of this was made in Ekéus' recent report to the Security Council. He told us that he had a copy of the UNSCOM 45 report, which he called well-balanced, and that none of it was reflected in Ekéus' speech. It was clear from Ekéus' actions that nothing would ever change, therefore the Special Commission will "get nothing more, nothing. It is finished; you can bomb us or occupy us, it doesn't matter". He then stated ... that if his subordinates provided anything to us beyond technical answers he would "break their backs".

This was followed by a series of what could be perceived as veiled threats against the Special Commission and its inspection teams in which he claimed, inter alia, that the Iraqi people would like to "drink" our blood and that the people of Iraq hate the inspection teams more than they hate the United States Air Force. This theme was repeated several times.

General Amer referred to the helicopter surveillance and its use to gather intelligence information and humiliate the Iraqi people by flying over Presidential sites and the recent visit (by UNSCOM 47) to a school. As a result, he would never allow the helicopter one metre inside Baghdad territory. He claimed that the boundary had been already agreed. ...

In conclusion, he stated that Iraq and he had trusted in the Special Commission and been deceived. Therefore, the game was over. Iraq will provide nothing more and will punish any of its people who provide information to UNSCOM. General Amer emphasized this point by telling the group that he would break the neck of any Iraqi who provided UNSCOM with the names of people involved in the weapons of mass destruction programme.